

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cr-55-MOC-DCK

UNITED STATES OF AMERICA

vs.

XAVIER SHIHEEN MILLS,

Defendant.

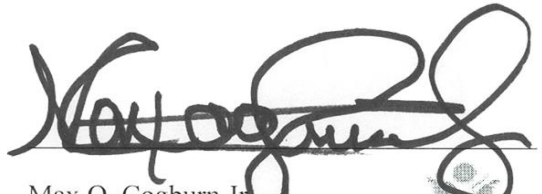
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ORDER

THIS MATTER is before the Court on its own motion. On August 30, 2023, this Court ordered the Government to respond to Defendant's Motion to Reduce Sentence. The Government has contacted the Court to inform the Court that Defendant is seeking relief under an amendment to the sentencing guidelines that is not yet in effect. Specifically, Defendant seeks relief under Amendment 821.

Because Amendment 821 has not become effective yet, Defendant's motion is premature. This Court, therefore, **DISMISSES** without prejudice Defendant's Pro Se Motion to Reduce Sentence. (Doc. No. 55). Defendant may refile the motion after Amendment 821 goes into effect.

Signed: October 18, 2023



Max O. Cogburn Jr.
United States District Judge